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C O N F I D E N T I A L LA PAZ 001284

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [ASEC](#) [BL](#)
SUBJECT: BOLIVIA: SANCHEZ BERZAIN ASYLUM MAKES EMBASSY
BIGGER TARGET

Classified By: EcoPol Chief Mike Hammer for reasons 1.4 (b) and (d).

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Summary
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11. (C) On June 5, Bolivian press outlets began reporting that the USG had granted political asylum to former Minister of Defense Carlos Sanchez Berzain. President Evo Morales and his supporters have long blamed Sanchez Berzain and President Gonzalo "Goni" Sanchez de Lozada for the 60 deaths and 400 injured in the city of El Alto during the October 2003 "gas war." Not surprisingly, government officials including Evo immediately denounced the asylum decision and declared it potentially detrimental to U.S.-Bolivian relations. Concerned that a planned anti-U.S. demonstration June 9 could be inflamed by the news of Sanchez Berzain's asylum the Ambassador called Vice President Alvaro Garcia Linera and Vice Foreign Minister Hugo Fernandez. The Ambassador counseled Garcia Linera that if the march turned violent it would only reinforce Sanchez Berzain's argument that a fair trial in Bolivia is impossible. End Summary.

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October 2003
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12. (SBU) President Evo Morales, his Movement Toward Socialism (MAS) party, and many civil society organizations have blamed Sanchez Berzain as one of the principals responsible for 60 deaths and over 400 injuries in the city of El Alto during the October 2003 "gas war." The deaths and injuries were the result of clashes between security forces and El Alto protesters who had completely blocked off the city of La Paz. The security forces had been called in to escort supply trucks (mainly fuel) through the blockades. The gas war eventually brought down Goni's government. Upon Goni's resignation, he and Sanchez Berzain fled Bolivia for the United States.

13. (SBU) On numerous occasions President Morales and members of his party have advocated the prosecution and incarceration of Goni, Sanchez Berzain, and some 16 other

Goni administration officials. The former President and his Minister of Defense stand accused of genocide among many other charges. The Bolivian government has not yet sent the USG a formal extradition request; the request has been with the Bolivian Supreme court since September 2007.

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Government Response and Outrage
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¶4. (U) Government authorities in La Paz expressed outrage at the news of Sanchez Berzain's asylum in the United States, which Sanchez Berzain himself confirmed in a news interview. President Evo Morales stated "I ask respectfully to the United States Government, that it is not possible that it act as protector of criminals, protector of people that have done much harm to not only Bolivia, but in Latin America." The Vice Minister for Coordination of Social Movements Sacha Llorenti argued that the news could "make relations between the United States and Bolivia more tense." Foreign Minister David Choquehuanca told the press that the government would be filing a formal complaint with the USG over the Sanchez Berzain asylum issue. There are some unconfirmed reports that the Ambassador will be called in to the foreign ministry to explain the USG's position on Sanchez Berzain.

¶5. (U) Bolivian Ambassador to Washington Gustavo Guzman told press outlets that he had requested information regarding the immigration status of Sanchez Berzain and Goni from the Department of State on numerous occasions, but never received a response. Guzman appeared to shrug-off the USG's

policy not to discuss immigration and asylum matters. Guzman stated, "the government (USG) indicated that this information is reserved and privileged and could not make it public. The United States preferred not to inform (us) despite our requests. They never responded to me."

¶6. (U) Rogelio Mayta, a lawyer who is seeking Sanchez Berzain's prosecution, was the first person to inform the press of Sanchez Berzain's asylum. Mayta told the Bolivian press that he learned of Sanchez Berzain's asylum by reading some of Sanchez Berzain's defense documents in a U.S. civil case in which he is representing the victims of October 2003. Mayta explained to the press that Embassy documents from October 2003 (obtained via a FOIA request) were used to support Sanchez Berzain's asylum request. Mayta noted that Goni could make a similar asylum request and that any extradition of Goni and his cabinet (including Sanchez Berzain) is now much more difficult.

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Sanchez Berzain Talks
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¶7. (U) Sanchez Berzain granted a number of interviews to Bolivian media June 5. During the interviews Sanchez Berzain acknowledged that the USG granted him asylum in March 2007. He explained that his asylum request was based on the fact that he could not receive a fair trial, stating that "there does not exist confidence that the Bolivian justice system can process a case impartially." When asked how the USG could grant asylum to someone charged with genocide, Sanchez Berzain stated that the charge was "political and did not relate to the facts." He advised the interviewer to consult the dictionary for the definition of genocide.

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Ambassador Calls the Vice President
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¶8. (C) The Ambassador spoke with Vice President Alvaro Garcia Linera on June 6 regarding the Sanchez Berzain asylum news and to raise concerns over the planned June 9 anti-U.S. demonstration. Garcia Linera questioned the Ambassador as to why he and the Bolivian government in general had not been informed of Sanchez Berzain's asylum. The Ambassador responded that he himself was not in the information loop

which is normal in an asylum request. The Ambassador explained that due to privacy concerns asylum decisions are not divulged officially, even to U.S government official such as himself. The decision only became public due to the civil case, the Ambassador noted. Despite Bolivia's interest in the Sanchez Berzain case, the Ambassador explained that asylum rulings are not a state-to-state issue (i.e., the Bolivian government could not make its case).

¶9. (C) Garcia Linera noted that the decision has bothered many people in Bolivia. The Ambassador recognized that Goni and Sanchez Berzain were a sensitive topic for many in Bolivia, especially in El Alto. The Ambassador also acknowledged that news of Sanchez Berzain's asylum might encourage more people from El Alto to participate in planned June 9 march on the Embassy. The Ambassador pointed out that a violent disruptive march would only serve to reinforce Sanchez Berzain's and Goni's arguments before U.S. authorities (against extradition and for asylum) that Bolivia is an unruly place where they could not receive a fair trial.

In fact, a violent protest directed at the Embassy, the Ambassador added, would hurt the Morales administration's case that the two should face justice in Bolivia. The Ambassador made the same points with Vice Foreign Minister Hugo Fernandez and reminded him of Bolivia's obligation to safeguard the security of foreign embassies.

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Comment
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¶10. (C) The revelation that the USG granted Sanchez Berzain political asylum comes at a very inopportune time. The Ambassador, USAID, and the Embassy in general have long endured rhetorical attacks by President Morales and his supporters. Every October (and also at other times) El Alto social groups protest in front of the U.S. Embassy in La Paz arguing that the USG "protects the perpetrators" of October 2003, and that the USG "conspires" against Evo's government. Some groups advocate actions more aggressive than peaceful protests: in October 2007, a group of protesters almost breached the Embassy's main gate. Before the news of Sanchez Berzain's asylum hit the press on June 5, more radical members of certain El Alto social groups had already talked about "taking over and burning" the Embassy June 9. This latest news only adds fuel to fire. As the government has significant influence over El Alto social groups, we hope that the Vice President heeds the Ambassador's message that the government control its supporters. The Embassy will be at minimal staffing June 9, (EAC met June 6 per septel).
End Comment.
GOLDBERG